IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.27285 of 1995

Between:

Makhariya Cotton & Oil Trading Co.(Pvt.)Ltd., Bibinagar,Hyderabad, rep. by its Managing Director, Kanayalal, S/o. Gajadharmal
R/o. Hyderabad

..... PETITIONER

AND

1 The Director of Marketing, Govt. of A.P.
BRKR Buildings, Hyderabad
2 The Agricultural Market Committee, rep. by its Secretary
Bodhan, Nizamabad District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction preferably in the nature of Writ of Mandamus declaring the action of the 2nd respondent in collecting market fee on Soyabeans i.e., non-notified agricultural produce as arbitrary, illegal and violative of provisions of A.P. Agricultural Produce and Livestock Markets Act 1966 and direct the 2nd respondent to refund the market fee collected from the petitioner on 24/11/1995 of Rs.970/- and it is further prayed that the 1st respondent may be directed to issue a notification or circular to its subordinate market committees not to collect market fee on Soyabeans either in transit or in the business place as it is a non-notified Agricultural Produce.

Counsel for the Petitioner: MR.G.PRAMOD KUMAR

Counsel for the Respondents: G.P FOR AGRICULTURE

The Court made the following :

ORDER:

Learned counsel for the petitioner represents that the cause in this writ petition does not survive and has become infructuous.

Recording the same, the Writ Petition is dismissed as having become infructuous. No costs.

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(N.V. RAMANA, J)

Date: 01.10.2004
Nsr

To

1 The Director of Marketing, Govt. of A.P.
BRKR Buildings, Hyderabad
2 The Secretary, Agricultural Market Committee,
Bodhan, Nizamabad District.

3 Two CCs to G.P for Agriculture, High Court of A.P., Hyderabad (OUT) 4 Two CD copies.